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SUBJECT: SUPREME ELECTORAL COMMISSION TO BE FORMED, SHURA COUNCIL ELECTIONS SHAPING UP

REF: A. CAIRO 1170

1B. CAIRO 1128

Classified By: Minister-Counselor for Economic and Political Affairs
William R. Stewart, for reasons 1.4 (b) and (d).

11. (C) Summary: Following vigorous parliamentary debate, on May 10 the People's Assembly approved several elections-related changes to the 1956 Political Rights Law, including the creation of a new Supreme Electoral Commission (SEC) to oversee Egypt's electoral contests. Opposition lawmakers bitterly criticized the robust role of the Interior Ministry (MOI) in choosing the location and number of polling stations, as well as the presence of an MOI representative on the SEC's general secretariat. Muslim Brotherhood (MB) MP's objected to the law's banning of slogans and symbols with "a religious reference," viewing it as directly targeted against the MB's decades-old slogan, "Islam is the Solution." The formidable challenge before the SEC is to organize itself and set-up an effective infrastructure in the month remaining before the June 11 Shura Council elections, which only the ruling National Democratic Party (NDP), the Ghad Party, and the Muslim Brotherhood plan to contest. The widespread expectation is that the NDP will trounce all competition, due to a combination of weak independent electoral oversight, likely government interference and manipulation of the results, as well as the challenges presented by the nature of Shura Council races, which comprise large unwieldy districts that do not play to the MB or Al Ghad's strengths. End summary.

POLITICAL RIGHTS LAW APPROVED;
SUPREME ELECTORAL COMMISSION ANNOUNCED

12. (SBU) Following vigorous parliamentary debate, on May 10 the People's Assembly approved changes to the 1956 Political Rights Law, thus implementing the April amendment of constitutional Article 88, and abrogating direct judicial supervision of Egypt's elections. The changes to the law include the creation of a new 11-member Supreme Electoral Commission (SEC), charged with "setting the guidelines regulating electoral campaigns, applying the electoral signs system, and setting the rules for the participation of Egyptian civil society." The SEC head is the Chief Justice of the Cairo Court of Appeals, Adel Andrawes, and the members by law are the Chief Justice of the Alexandria Court of Appeals, a vice-president of the Court of Cassation, a vice-president of the State Council, three former members of the Court of Appeals and the Court of Cassation, and four public figures who do not belong to any political parties. The People's Assembly and Shura Council were tasked with choosing the four public figures; on May 10 the legislature

appointed former minister of state Ahmed Radwan, Ahmed Awad Bilal (dean of Cairo University's faculty of law), Ismail Hassan (former Central Bank governor) and Louis Greiss (former editor-in-chief of Sabah El Khair magazine). The term of SEC membership is three years from the date the body is formed. Now that it has been formally established, the formidable challenge before the SEC is to organize itself and set-up an effective infrastructure in the month remaining before the Shura Council elections.

¶3. (SBU) Parliamentary debate on the revisions to the Political Rights Law was reportedly fierce, with many opposition MP's complaining not only about the substance of the changes, but that the process was rushed and did not allow for adequate review and discussion. Mahmoud Abaza, MP and head of the Wafd Party, wrote to People's Assembly Speaker Fathi Surour that, "The assembly's new style of debating laws at supersonic speed and without taking into account opposition views violates international codes of democratic parliamentary practice The amendments to the law ... were deliberately drafted in way that eliminates judicial supervision and serves the narrow interests of the ruling National Democratic Party (NDP). At auxiliary polling stations it is employees of local city councils, most of whom are NDP members, who will be in charge, and they will do everything to ensure that voting goes in favor of the NDP." Following the vote on the changes to the law, the Muslim Brotherhood (MB) parliamentary bloc released a statement that, "hope for honest elections has disappeared."

¶4. (SBU) Opposition MP's also objected to an article stipulating that the Ministry of Interior, rather than the SEC, should decide the number and location of polling stations. Following extended debate in both the Shura Council and PA, the final law states that the MOI and SEC

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should "coordinate" on decisions regarding the number and location of polling stations. MB MP's bitterly criticized the law's banning of "the use of slogans or symbols or carrying out electoral campaign activities of a religious reference or nature," viewing it as directly targeted against the MB and its decades-old slogan, "Islam is the Solution." The SEC will have the authority to terminate the candidacy of any candidate who is determined to be in violation of the law. The opposition also criticized Article 3(F) of the law, which stipulates that the SEC's secretariat-general is to be chaired by a deputy justice minister and include an MOI representative.

SHURA COUNCIL ELECTIONS

¶5. (SBU) On May 11, Mubarak issued a presidential decree setting the Shura Council elections for June 11, with run-offs to be held on June 18. 88 seats of the 264-member Council will be contested, and an additional 44 members appointed by the president, in accordance with the constitutional requirement that fifty-percent of the total membership of the Council be renewed, either by election or appointment, every three years. The NDP is currently engaged in complex internal processes to select its Shura candidates.

The Wafd, Tagamu, and Arab Nasserite parties have all announced that they will not put forward candidates, while Al Ghad party has announced that it will run in 26 of the Shura races. As reported ref B, the MB plans to contest the Shura elections (the first time it has ever done so), but has stated it will put forward no more than 20 candidates. Reportedly due to concerns about harassment from the security services, the MB has not yet announced the names of its candidates. The MB, which has excelled at constituency building at the local level, may be hard pressed to produce candidates with the name recognition to prevail in the large Shura districts, which typically encompass three or more parliamentary districts.

COMMENT

¶6. (C) While likely to be characterized by the low voter-turnout that is the norm in Egyptian electoral contests, the Shura Council races are notable in that it will be a precedent-setting first time for the SEC to oversee an election, as well as the first electoral match-up between the NDP and MB for a national-level body since the 2005 parliamentary elections. Due to the MB's participation, the potential exists for election day disturbances akin to those during the November 2005 parliamentary elections, when police clashed with MB voters. However, the widespread expectation is that the NDP will trounce all competition, due to a combination of weak independent electoral oversight, likely government interference and manipulation of the results, and the challenges presented by the nature of Shura Council races, which comprise large unwieldy districts that do not play to the MB's strengths. The rush to create a Supreme Electoral Commission that is not a clear improvement over the previous system of judicial electoral supervision has led many of our contacts to expect the worst in the conduct of the Shura elections, and to question the sincerity of the GOE's commitment to meaningful political reform.

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